

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

WASHINGTON McCASKILL

PLAINTIFF

VS.

CIVIL ACTION NO. 3:10cv872-DPJ-FKB

RANDY SMITH

DEFENDANT

REPORT AND RECOMMENDATION

On November 17, 2011, a notice was mailed to Plaintiff informing him that an omnibus hearing was set in this matter before the undersigned for January 25, 2012, at 11:00 a.m. Plaintiff failed to appear at the hearing and has failed to contact the Court since that date. For this reason, the undersigned recommends that Plaintiff's claims be dismissed for failure to prosecute.

The parties are hereby notified that failure to file written objections to the findings and recommendations contained in this report within fourteen (14) days from being served with a copy of this report will bar an aggrieved party, except upon grounds of plain error, from attacking on appeal proposed factual findings and legal conclusions accepted by the district court. 28 U.S.C. § 636; Douglass v. United Service Automobile Ass'n, 79 F.3d 1415 (5th Cir. 1996).

Respectfully submitted, this the 16<sup>th</sup> day of March, 2012.

/s/ F. Keith Ball  
UNITED STATES MAGISTRATE JUDGE